

**HISTORIC PRESERVATION REVIEW BOARD AND THE
DISTRICT OF COLUMBIA OFFICE OF PLANNING**

NOTICE OF PROPOSED RULEMAKING

The D.C. Office of Planning and the Historic Preservation Review Board, pursuant to the authority set forth in section 10 of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979, (D.C. Law 2-144; D.C. Official Code § 6-1109), Mayor's Order 79-50, dated March 21, 1979, section 6 of Mayor's Order 83-119, dated May 6, 1983, section III(B)(8) of Reorganization Plan No. 1 of 1983, effective March 31, 1983, and section 402(b) of the Fiscal Year 2001 Budget Support Act of 2002, effective October 19, 2000 (D.C. Law 12-172; 47 DCR 6308), hereby give notice of intent to adopt the following new Chapter 25 "Standards for Signs, Awnings, Canopies, and Marquees" to 10A DCMR, Historic Preservation, not less than thirty (30) days after publication of this notice in the *D.C. Register*. The purpose of the new chapter is to establish standards for the design and placement of signs, awnings, canopies, and marquees on historic properties.

Title 10A DCMR, Historic Preservation is amended by adding a new Chapter 25, "Standards for Signs, Awnings, Canopies, and Marquees" to read as follows:

CHAPTER 25 STANDARDS FOR SIGNS, AWNINGS, CANOPIES, AND MARQUEES

Secs.

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2500 GENERAL PROVISIONS

- 2500.1 Except as otherwise expressly provided in this chapter, signs on historic property shall comply with this chapter and the applicable provisions of Title 12A of the District of Columbia Municipal Regulations (DCMR), the Construction Code Supplement of 2003 as amended, hereafter referred to as the "D.C. Building Code".
- 2500.2 Signage subject to review under the Shipstead-Luce Act, approved May 16, 1930 (46 Stat. 366; D.C. Official Code § 6-611.01 *et seq.*), shall be submitted to the Commission of Fine Arts for review before a permit is issued, and shall comply with applicable sections of the D.C. Building Code.
- 2500.3 Signage subject to review under the Old Georgetown Act, approved September 22, 1950 (64 Stat. 903; D.C. Official Code § 6-1201 *et seq.*), shall be submitted to the Commission of Fine Arts for review before a permit is issued, and shall comply with applicable sections of the D.C. Building Code.
- 2500.4 Signs in the Chinatown Overlay District are subject to review by the Chinatown Steering Committee pursuant to 10 DCMR, Chapter 24. Signs and streetscape elements using Chinese characters and design elements are encouraged in this district.

2501 PERMIT REQUIREMENTS

- 2501.1 Notwithstanding the limitations and exemptions stated in the D.C. Building Code, a permit is required for the erection, painting, repainting, placement, replacement, hanging, rehanging, alteration, repair, or change of a sign larger than one (1) square

foot in size on the outside of a building on historic property or located within the first eighteen (18) inches inside a glazed opening of a building on historic property.

- 2501.2 Signs on historic property that are not subject to regulation under the D.C. Building Code or required to meet the permit requirements stated in the D.C. Building Code shall be issued permits based solely on their compliance with the requirements of this chapter.
- 2501.3 A permit is required for the erection, placement, replacement, hanging, rehang, alteration, refacing, repair, or change of an awning, canopy, or marquee on historic property.
- 2501.4 A permit application for a sign, awning, canopy, or marquee on historic property shall comply with the application requirements of the D.C. Building Code and shall also include the following:
- (a) A completed D.C. Application for Construction Permit on Private Property and D.C. Application for Public Space (if applicable), signed by the applicant or building owner;
 - (b) Good quality photographs of the building or site, showing the entire façade and close ups of the area where work is proposed, adequate to document the building or site's existing appearance;
 - (c) A scaled or dimensioned drawing of the proposed sign, awning, canopy, or marquee accurately indicating dimensions, materials, colors, graphics, copy, type of illumination, and method of attachment; and
 - (d) Scaled or dimensioned plans, photo illustrations or elevation drawings showing the proposed work as it would appear on the building or site. An application for an awning, canopy, or marquee shall also include a section drawing.
- 2501.5 For an awning, canopy, or marquee, a material sample of the finish material(s) may be requested.
- 2501.6 A permit is not required for a temporary real estate sign on historic property six (6) square feet in area or less, or any sign on historic property that is one (1) square foot in area or less.
- 2501.7 Applicants shall submit permit application materials to the Permit Processing Division of the Department of Consumer and Regulatory Affairs (DCRA) for transmittal to the Historic Preservation Office (HPO). The HPO shall determine whether an application must be forwarded to the Historic Preservation Review Board (HPRB) and the Mayor's Agent, or whether the HPO may review the application pursuant to the provisions of Title 10A, DCMR § 321 "Processing of Applications Under Delegated Review."

2502 DESIGN PRINCIPLES FOR SIGNS

- 2502.1 Signs are a prominent visual element of many historic properties, serving an important role in identifying or advertising a business, institution, occupant or entity. The location and design of a sign influences the perception of the building to which it is attached and the surrounding area. Well-designed and well-maintained signs add interest and variety to historic building facades and streetscapes and can enhance the image and attractiveness of a historic district. Oversized, poorly-designed, or poorly-maintained signs can result in visual clutter and detract from the overall appearance of historic property.
- 2502.2 Different historic buildings are subject to different constraints and may require varied signage solutions. For instance, the requirements for a large department store, a small neighborhood retailer, a church, and a home occupation may differ, and signs for each shall be tailored to the specific character of each building and entity.
- 2502.3 Different historic districts and neighborhoods have specific characteristics and qualities that may require varied signage solutions. For instance, Chinatown, Downtown, 18th Street in Adams Morgan, Georgetown, U Street, and many of the neighborhood commercial strips throughout the city have their own historical traditions and distinctive current characteristics that must be recognized and respected.
- 2502.4 Signs are not typically a prominent visual element on historic residential buildings, and commercial signage is strictly limited by the D.C. Building Code within residential and special purpose zoning districts. In order to preserve their residential character and setting, signage on historic residential buildings and in historic residential areas shall be designed so as to not be visually intrusive, overwhelming, or incompatible with the important historic characteristics of the particular building, site, and context.
- 2502.5 Signage shall be appropriate to the building and site, and designed to relate to, take advantage of, and be compatible with the building's particular composition, scale, design features, and architectural character.
- 2502.6 In determining whether to approve an application, the HPO and the HPRB shall evaluate the architecture and design of the building and site, and determine whether the proposed sign is compatible with respect to size, placement, type, material, copy, and illumination. The HPO will provide design assistance to applicants in evaluating historic properties for appropriate signage.
- 2502.7 Signs shall be placed on historic property in a manner that does not damage or conceal its character-defining architectural features, such as windows, piers, transoms, or ornamentation. Signs shall not be placed in a manner that damages or obscures the site, landscape, or archaeological features.
- 2502.8 Signs on historic property shall be primarily oriented toward and promote the pedestrian environment.

2502.9 Signs on historic property shall be constructed of durable, long-lasting materials. Professional design assistance and fabrication are strongly encouraged.

2502.10 Signs that graphically or symbolically express a business or institution, or that express creativity, diversity, or individuality are encouraged.

2503 DESIGN CHARACTERISTICS OF SIGNS

2503.1 Sign Size shall be determined by the following criteria and considerations:

- (a) The maximum size and area limitations established by the D.C. Building Code for signs subject to D.C. Building Code regulations shall apply to such signs on historic property. However, the HPRB may impose further limitations on size and area for these signs if necessary to achieve compatibility with an historic property or district;
- (b) The appropriate size of a sign on historic property shall be determined by and tailored to the specific characteristics of the building or site, the location of the sign on the building or site, and, if applicable, the character of the surrounding historic district;
- (c) A sign shall be designed to fit in areas specifically designed for its installation, such as within sign bands or fascias, or on show windows;
- (d) The aggregate area of all window signs within a storefront or show window is limited to twenty percent (20%) of the surface area of that element; and
- (e) Signs shall be lightweight in feeling and appearance. A sign that is overly large, boxy, bulky, or scaled inappropriately for an historic building or district is not permitted.

2503.2 Sign Placement shall be determined by the following criteria and considerations:

- (a) Sign bands, fascias, or other storefront or building areas that were designed to accommodate signage are the preferred locations for sign placement;
- (b) In the absence of a sign band, a flat continuous wall surface, unbroken by decorative detailing and windows, is an appropriate location for signage;
- (c) A storefront or show window may be an appropriate location for a sign provided it does not visually overwhelm the storefront or obscure views into the premises or its contents;
- (d) A sign that conceals a character-defining architectural feature, such as a window, window or door surround, cornice, pilaster, or other decorative or ornamental feature, is not permitted;

- (e) A sign that conceals a transom is not permitted. A window sign within a transom or a channel letter sign on top of a show window may be appropriate provided it does not substantially cover a transom;
- (f) For an entity occupying a multi-unit or multi-storied building, a sign may be placed only on the portion or portions of the building relating to the entity's occupancy;
- (g) No sign shall project more than forty-two (42) inches beyond the building line or building restriction line. Projecting, hanging, blade, and banner signs shall have a minimum clear height of eight (8) feet above grade; and
- (h) A sign shall be installed in a manner that does not cause permanent damage to a building. On masonry buildings, signage shall be attached through mortar joints, rather than through masonry units, whenever possible.

2503.3 Appropriate sign types on historic property shall be based on the specific characteristics of the building, district, or site. Depending on the building's design, setting, and characteristics, the following sign types and branding may be appropriate for historic property:

- (a)
 - (1) Banner signs;
 - (2) Blade signs;
 - (3) Channel letter signs;
 - (4) Halo lit signs;
 - (5) Hanging signs;
 - (6) Painted signs;
 - (7) Panel signs;
 - (8) Pin-mounted signs, provided they are affixed in a manner that does not permanently damage the building;
 - (9) Plaques, markers, and medallions that are commemorative, interpretive, or informational in nature;
 - (10) Projecting signs;
 - (11) Raceway signs, provided the raceway is small and blended with wall color behind;
 - (12) Reverse channel signs;
 - (13) Routed signs;
 - (14) Signs on the valance of an awning or canopy, provided they are non-illuminated;
 - (15) Three-dimensional signs;
 - (16) Window signs;
- (b) The following sign types are typically not appropriate for historic buildings and districts:
 - (1) Internally-illuminated, plastic-faced box or cabinet signs;

- (2) Moving signs; and
- (3) Prohibited signs, as defined in § 2504; and
- (c) Standardized corporate branding, typically developed without regard to local character and context, is often not appropriate for historic buildings and districts and may need to be substantially modified to be compatible with a specific building or district. Branding and color branding that visually detract from or overwhelm the architecture or character of a building or district are not permitted.

2503.4 Sign Material shall be determined by the following criteria and considerations:

- (a) Sign materials and finishes that are consistent in character with materials and finishes on the affected building, district, or site, such as painted wood and metal, are encouraged;
- (b) Sign materials and finishes that are not found on or are inconsistent in character with the affected building, district, or site, such as shiny plastic, are prohibited unless unusual circumstances make them clearly compatible with the specific building or location; and
- (c) Signs shall be constructed of durable, long-lasting, exterior-grade materials that will retain a high quality appearance.

2503.5 Sign Copy shall be determined by the following criteria and considerations:

- (a) The message of a sign on historic property shall be kept simple so as to not overwhelm the building or district. Generally, the number of words or symbols should be limited to keep the sign easily readable, graphically legible, free of clutter and to not visually detract from the character of the building or district;
- (b) A detailed listing of services, goods, websites, phone numbers or other information shall be permitted only on a sign no larger than three (3) square feet in size;
- (c) Unless a variation is dictated by the specific characteristics of a building and the placement of a sign, the size of the letters shall be at least eight (8) and no more than eighteen (18) inches tall to be legible to pedestrians but not out of scale for the building or district;
- (d) Redundant or repetitive signs which clutter, overwhelm, or visually detract from a building façade, storefront, or site are not permitted; and
- (e) Color and other branding elements are often an integral part of signage. The visual impact of these elements will be considered in judging whether signage is appropriate for historic property.

2503.6 Sign Illumination shall be determined by the following criteria and considerations:

- (a) Illumination of signs on historic property shall, at a minimum, comply with the applicable provisions of the D.C. Building Code. Overly-bright signage illumination can detract from a historic building or district. As a general principle, low level illumination for signage is encouraged;
- (b) Illumination for signage shall be appropriate for the location, setting and character of the building and site. Certain types of public facilities, such as theaters and public buildings, may warrant greater levels of illumination;
- (c) Signage illuminated from an external source shall include appropriate shielding to direct the light source onto the building and sign, and to prevent light and glare from shining in the eyes of pedestrians;
- (d) If the light source is appropriately shielded or low in level of illumination, spot lights, hanging lamps, and decorative fixtures may be acceptable methods of external illumination;
- (e) Halo lit, channel letter signs, and other signs with a diffused source of illumination may be appropriate for historic property, provided they have a level of illumination appropriate for the building or district;
- (f) Raceway signs may be permitted provided the raceway element is not boxy and bulky and is fabricated or painted to blend in with the color of the wall surface on which it is mounted;
- (g) Neon signs may be permitted if appropriate for the building or district. Outside of the Chinatown area of the Downtown Historic District, using neon or continuous light-emitting diode (LED) strips as decorative trim or as a building outlining element is not permitted;
- (h) Signage illumination shall be by steady light only. Pulsing, blinking, or flashing lights are not permitted;
- (i) Sodium vapor, mercury vapor, or other metal halide light sources are generally too bright for illuminating signs and are not permitted;
- (j) Electrical conduit, transformers, and other electrical equipment for lighting or exterior signs shall be concealed; and
- (k) Boxy and bulky internally illuminated box signs are discouraged.

2504 PROHIBITED SIGNS

- 2504.1 Billboards and Special Signs, as defined in the DC Building Code, are not permitted on historic property.
- 2504.2 Revolving signs are not permitted on historic property except as provided in 2510.5.
- 2504.3 Roof signs are not permitted on historic property except as provided in 2510.5.

2505 SIGNS FOR HISTORIC RESIDENTIAL PROPERTIES

- 2505.1 Commercial advertising on historic property in residential and special purpose zoning districts is strictly limited and shall at a minimum comply with the limitations on such signs set forth in the D.C. Building Code. The HPRB may impose further limitations in size or other characteristics if necessary to achieve compatibility with an historic landmark or district.
- 2505.2 A small ground-mounted building identification sign may be permitted for an historic apartment building, an apartment building within an historic district, or historic property within a special purpose zoning district.
- 2505.3 Signs for an historic apartment building or an apartment building in a portion of an historic district zoned for residential use shall be limited to the name and address of the building.
- 2505.4 Permanent signs on historic property relating to the sale, rental, lease, or management of the premises shall require a permit and be limited to two (2) square feet in size.
- 2505.5 Illumination of signs in a portion of an historic district zoned for residential use is discouraged. If illumination is determined appropriate for the building and setting, illumination shall consist of soft, steady white light only.

2506 SIGNS FOR HISTORIC INSTITUTIONAL PROPERTIES

- 2506.1 Historic civic, institutional, religious, and educational properties generally have a very different character from historic commercial properties, and were often designed to express their function primarily through the imagery and symbolism of their architecture. Signage on a historic institutional property shall be consistent with and respectful of the image and architecture of the property.
- 2506.2 Signs on historic institutional properties that are within or adjacent to historic districts shall be designed in a manner that minimizes the impact of institutional signage, such as the level of illumination, on adjacent historic properties.
- 2506.3 Ground-mounted signs may be permitted for historic institutional properties.
- 2506.4 Signs for properties within an historic complex or campus shall be coordinated to

convey that the properties are or were historically related. The development of a Master Plan for signage, pursuant to § 2508, is encouraged.

2506.5 Signs for churches that are historic property shall be subject to the following provisions:

- (a) Church identification or bulletin signs on historic properties shall be scaled appropriately for the building and site and shall not exceed twenty (20) square feet in area, the calculation of which shall include any architectural supports such as piers, bases, and frames;
- (b) Ground-mounted church signs on historic properties shall be located to ensure that public views of the building, its entrance, or other significant features of the building or site are not obscured. Ground-mounted signs shall be located at grade, rather than raised on piers;
- (c) Church signs shall be illuminated in a manner consistent with and appropriate for their setting. Internally-illuminated signs are prohibited unless unusual circumstances make them clearly compatible with the specific building or location;
- (d) Church signs shall be constructed of materials appropriate for the building, site, or district. Signs of metal, wood, stone and other materials compatible with the building or district are encouraged. Signs of synthetic materials, such as shiny plastic, that are not compatible with the building or district are not permitted; and
- (e) Traditional church bulletin sign boards, consisting of non-illuminated changeable letters against a solid background, are encouraged.

2506.6 Signs for schools that are historic property shall be subject to the following provisions:

- (a) School identification or bulletin signs on historic properties shall be scaled appropriately for the building and site and shall not exceed twenty (20) square feet in area, the calculation of which shall include any architectural supports such as piers, bases, and frames.
- (b) Ground-mounted school signs shall be located to ensure that public views of the building, its entrance, or other significant features of the building or site are not obscured. Ground-mounted signs shall be located at grade rather than raised on piers.
- (c) School signs shall be illuminated in a manner consistent with and appropriate for their setting. Internally-illuminated signs are prohibited unless unusual circumstances make them clearly compatible with the specific building or location.

- (d) School signs shall be constructed of materials appropriate for the building, site or district. Signs of metal, wood, stone and other materials compatible with the building or district are encouraged. Signs of synthetic materials, such as shiny plastic, that are not compatible with the building or district not permitted.

2507 SIGNS FOR NON-CONTRIBUTING BUILDINGS

- 2507.1 Signs on non-contributing buildings shall be designed for general consistency with the character of the landmark or historic district.
- 2507.2 New pole-mounted signs on non-contributing gas stations or other facilities are not permitted. Removal of existing pole-mounted signs and replacement with ground-mounted signs or other appropriate signage is encouraged.

2508 MASTER SIGN PLANS

- 2508.1 The development of a coordinated master plan for signs is encouraged where a building, complex, or institution houses multiple tenants or activities requiring several signs, or where signs will be installed on multiple properties that were historically or architecturally related.
- 2508.2 A master plan for signage shall be submitted to the HPRB for review according to the provisions for concept design review outlined in Chapter 3.
- 2508.3 If the HPRB approves a master sign plan to be in effect for a specific period, the HPO shall adhere to the provisions of the plan in delegated approvals for the duration of the plan.

2509 TEMPORARY SIGNS

- 2509.1 Temporary signs installed for less than ninety (90) days or that are less than twenty (20) square feet in size shall be routinely approved by the HPO provided they are installed in a manner that does not cause permanent damage to historic property.
- 2509.2 Temporary signs installed for more than ninety (90) days or that are more than twenty (20) square feet in size shall be reviewed according to the same standards and criteria as permanent signs, but shall be granted greater flexibility than permanent signs in terms of size, placement, type, shape, material, and copy, provided that they are installed in a manner that does not cause permanent damage to historic property. Such signs shall be approved unless they are plainly and unnecessarily incompatible with the architecture and characteristics of the building, site, or district.
- 2509.3 Permit applications for temporary signs shall indicate the period of time in which the sign is being displayed.

2510 VINTAGE AND HISTORIC SIGNS

- 2510.1 Vintage signs, those which are less than fifty (50) years old but which express distinctive characteristics or aesthetics of an earlier period, often provide character to historic property. Vintage signs should be considered for preservation or reuse where feasible.
- 2510.2 A sign that is original to a landmark or contributing historic structure, or is at least fifty (50) years old, may be determined a significant character-defining feature of a historic building or district.
- 2510.3 A historic sign that is integral to the design of historic property, such as a sign that is carved or etched into masonry or included as part of the design of a parapet or cornice, shall be retained.
- 2510.4 A historic sign that is not integral to the design of historic property, such as the ghost of a painted sign, shall be retained where feasible.
- 2510.5 New signage that replicates or closely resembles historic signage on historic property shall be favorably considered. Documentation of the historical appropriateness of a proposed sign may consist of early photographs, original drawings, or similar sources.

2511 GENERAL PRINCIPLES: AWNINGS, CANOPIES, AND MARQUEES

- 2511.1 A D.C. building permit is required for the erection, repair or replacement of an awning, canopy, or marquee on historic property.
- 2511.2 An awning, canopy, or marquee on historic property shall comply with the provisions of these regulations and all pertinent provisions of the DC Building Code.
- 2511.3 Awnings, canopies, and marquees are used to provide weather protection, identity, or decoration. Awnings provide protection for storefronts and other windows and shelter for pedestrians, but as a secondary function, provide an area for identifying the name or trade of an occupant. Canopies and marquees provide shelter over a building entrance, and often incorporate the name or address of a building.
- 2511.4 The design, placement, and type of awning, canopy, or marquee shall respect, take advantage of, and be compatible with a historic property's particular composition, design features, and architectural style.
- 2511.5 The appropriateness of specific awnings, canopies, and marquees may differ for different historic districts, building types, and business types. The design for an awning, canopy, or marquee shall be based on the specific character of the landmark, building or district.

- 2511.6 An awning, canopy, or marquee shall be compatible in size, scale, shape, type, material, and illumination with the character of the historic property to which it is being attached.
- 2511.7 An awning, canopy, or marquee shall be located and installed on a building in a manner that does not cause damage to or conceal significant character-defining architectural features.

2512 AWNINGS

- 2512.1 An awning primarily provides weather protection for a window opening, storefront, or door. An awning that does not fulfill this function, such as an awning atop a projecting storefront window that serves solely as a sign, is prohibited unless unusual circumstances make it clearly compatible with the specific building or location.
- 2512.2 An awning shall relate to and fit within the masonry or frame opening of a window or door. A shed-style awning is generally the most appropriate form for a flat-topped opening. Barrel-vaulted awnings are only appropriate for arched openings.
- 2512.3 An awning shall not cover over character-defining features of historic property.
- 2512.4 The projection of an awning shall be appropriately scaled for the building to which it is being attached; however, no awning shall project more than sixty (60) inches beyond the building line or building restriction line.
- 2512.5 An awning shall have a minimum clear height of eight (8) feet.
- 2512.6 An awning shall only be attached to a building in a manner that does not cause permanent damage. Typically, an awning is attached to the frame of a window. Attachment of awning frames through masonry is prohibited unless justified by the specific characteristics of the building.
- 2512.7 The valance of an awning is an appropriate location for signage. Signage shall generally be limited to lettering no taller than twelve (12) inches.
- 2512.8 For a person, business, or entity occupying a multi-unit or multi-storied building, an awning shall be placed only on the portion or portions of the building occupied by that person, business, or entity.
- 2512.9 An awning shall be covered only with canvas, woven acrylic or similar fabric materials. Metal and shiny or glossy materials such as vinyl and plastic are not permitted.
- 2512.10 Where an awning is determined appropriate, an awning that is open on the sides to increase visibility of the window is encouraged.
- 2512.11 Where an awning is determined appropriate, an awning that is operable and retractable is encouraged.

- 2512.12 Enclosing the underside of an awning with fabric or other material is not permitted unless justified by the specific characteristics of the building or awning.
- 2512.13 Translucent backlit awnings or under-mounted lighting of an awning are not permitted.
- 2512.14 A new awning that replicates a historic awning that was original to a building or at least fifty (50) years old shall be favorably considered. Documentation of the historical appropriateness of a proposed awning may consist of early photographs, original drawings, or similar sources.

2513 CANOPIES

- 2513.1 A canopy primarily provides weather protection for the entrance to a building.
- 2513.2 An entrance canopy is an appropriate location for building or occupant identification and the property's address.
- 2513.3 A canopy shall relate to and fit within the masonry or frame opening of a door. Barrel-vaulted canopies are only appropriate for arched openings.
- 2513.4 The projection of a canopy shall be appropriately scaled for the building to which it is being attached.
- 2513.5 A canopy shall have a minimum clear height of eight (8) feet.
- 2513.6 A canopy shall be attached to a building in a manner that does not cause permanent damage. Typically, a canopy is attached to the frame of a door. Attachment of canopy framing through masonry is prohibited unless justified by the specific characteristics of the building.
- 2513.7 A canopy shall not cover over a door surround or other significant character-defining features of a building.
- 2513.8 A canopy shall be finished with canvas, woven acrylic or a similar fabric material. Shiny or glossy finish materials, such as vinyl and plastic, are not permitted.
- 2513.9 Where a shed style canopy is determined appropriate, open sides to the canopy to increase visibility of the door opening are encouraged.
- 2513.10 Translucent backlit canopies are not permitted. Under-mounted downlighting may be permitted on canopies that are opaque.
- 2513.11 Canopies that extend to the public sidewalk or curb are not permitted outside of the Downtown Historic District or when not associated with a large-scale hotel or apartment building, unless justified by the specific characteristics of the building.

- 2513.12 A new canopy that replicates a canopy that was original to a building or at least fifty (50) years old shall be favorably considered. Documentation of the historical appropriateness of a proposed canopy may consist of early photographs, original drawings, or similar sources.

2514 MARQUEES

- 2514.1 A marquee provides weather protection and architectural embellishment over a building entrance. A marquee is an appropriate location for building or occupant identification and the property's address.
- 2514.2 A marquee is an architectural element traditionally associated with and appropriate only for larger buildings of a public or semi-public nature, such as apartment houses, hotels, department stores, theaters, and office buildings. A marquee is generally not appropriate for smaller-scale buildings and single-family houses.
- 2514.3 A marquee shall be attached in a manner that limits permanent alteration to the affected building as much as possible. A marquee shall be designed to fit around, rather than penetrate, decorative door surrounds or other character-defining elements.
- 2514.4 A marquee shall not cover over important decorative elements of a door surround or other significant character-defining features of a building.
- 2514.5 Unlike an awning or canopy, a marquee is a more permanent architectural element applied to a building. Professional design assistance and fabrication using long-lasting, high quality materials are encouraged.
- 2514.6 An architecturally distinctive marquee, where original or historically significant, shall be retained.
- 2514.7 A new marquee that replicates a marquee that was original to a building or at least fifty (50) years old shall be favorably considered. Documentation of the historical appropriateness of a proposed marquee may consist of early photographs, original drawings, or similar sources.

2599 DEFINITIONS

- 2599.1 As used in this chapter, the following terms shall have the meanings ascribed below:

Advertisement – the use of any image, text, logo, symbol, color, or other form of public announcement to encourage a commercial transaction or to market a business, entity, or commodity.

Awning – an architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton structure over which a covering is attached.

Banner – a hanging sign, typically of fabric, which may be hung perpendicular or parallel to the face of a building.

Billboard – a permanent signboard or structure on which lettering or images can be attached or posted, as further defined in the DC Building Code.

Blade sign– a vertically-oriented, double-faced projecting sign that hangs perpendicular to the façade of a building, allowing copy on both sign faces.

Box sign – a plastic- or acrylic-faced sign mounted on a box or cabinet that houses a source of internal illumination; also called a “cabinet sign.”

Branding – the use of signs, logos, symbols, figures, shapes, colors, or other elements, individually or collectively, to market a business or identify it as part of a larger corporate entity.

Cabinet sign– a plastic- or acrylic-faced metal sign mounted on a box or cabinet housing a source of internal illumination; also called a “box sign.”

Canopy– an architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached and at the outer end by not less than one (1) stanchion. A canopy is comprised of a rigid structure over which a covering is attached.

Channel letter sign – a sign consisting of individually formed letters, which may include illumination within each letter or many be mounted on a continuous raceway.

Color branding – the use of a color or colors associated with a business or entity as a means to convey its identity.

Copy– the use, amount, and size of lettering, numbers, or imagery on a sign.

Fascia – a plain, flat horizontal band, typically part of a storefront cornice, intended for sign placement; also called a “frieze” or “sign band.”

Flag sign – a fabric panel with signage displayed or configured as a flag.

Frieze – the portion of the façade that is typically just above or at the top of a storefront which provides an area for signage; also called a “fascia” or “sign band.”

Ground-mounted sign – a free-standing sign that is located within the public space, yard, or landscape of a property; also called a “monument sign.”

Halo lit sign – a sign of an opaque material illuminated from behind to form a “halo” of light around the silhouetted letters or symbols.

Hanging sign – a double-faced sign that projects perpendicular from the face of a building, allowing copy on both sign faces, and which typically hangs from an overhead bracket.

Historic property – a property subject to review under the D.C. Historic Landmark and Historic District Protection Act, including designated landmarks and contributing and non-contributing buildings within historic districts.

Historic sign – a sign that is original to a building, historically significant, or at least fifty (50) years old and which has features, qualities, or associations that may warrant preservation.

Marquee – a permanent roofed structure attached to and supported by the building to which it is attached and that projects into the public right-of-way.

Monument sign – a free-standing, ground-mounted sign.

Moving sign – a sign that displays three-dimensional, moving, rotating, flashing, animated, or changing images or text, as propelled by wind, solar or electric power.

Painted sign – a sign painted directly onto the face or other element of a building.

Panel sign – a one-sided sign mounted on a flat wall surface.

Pin-mounted sign – a sign composed of individual letters or other components attached to a panel or building by pins or screws.

Pole-mounted sign – a free-standing sign mounted on a pole or pylon, typically located within the site or landscape of a property.

Projecting sign – a double-faced sign that projects perpendicular from the face of a building, allowing copy on both sign faces.

Raceway sign – a sign consisting of individual channel letters mounted on a horizontal or vertical structural raceway element that houses electrical conduit for illumination.

Real estate sign – a sign announcing the sale, rent, or lease of land or premises.

Reverse channel sign – a sign where individual letters or images are cut in to an opaque panel allowing the letters or images to be illuminated when back lit.

Roof sign – a sign that is mounted on the roof of a building, as defined further in the DC Building Code.

Routed sign – a sign, typically of wood, into which letters or images are carved or routed.

“Sign” or “Signage” – a physical medium or display, including its structure and component parts, used to advertise, identify a person, object, or entity, or to provide information, consisting of words, letters, figures, designs, symbols, numbers, illumination, or projected images.

Sign band – a plain, flat horizontal band at the top of a storefront intended for sign placement. Also called a “fascia” or “frieze.”

Special sign – a sign that is erected, hung, placed, posted, painted, displayed or maintained on an outside, exterior wall or surface of a building pursuant to a Special Sign permit issued pursuant to the D.C. Building Code, and as further defined in the D.C. Building Code.

Symbol – means a recognizable image, icon, logo or other graphic representation for a business, service, institution or other object or entity.

Temporary sign – a sign erected for a limited and defined period of time.

Three-dimensional sign – a sign, symbol, icon, object, or logo that is sculptural or three-dimensional in form.

Vintage sign – a sign less than fifty (50) years old which may have distinctive characteristics or aesthetic qualities than lend character to a building or district.

Window sign – a sign that is hung, etched, painted, or mounted inside a glass storefront, door, window, or transom.

All persons wishing to comment on the subject matter of this proposed rulemaking should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments may be sent to Tersh Boasberg, Chairman, HPRB, c/o Steve Callcott, 801 North Capitol Street, NE, Suite 3000, Washington, DC 20002, or to steve.callcott@dc.gov. Copies of these proposed rules may be obtained at the same address.

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING**NOTICE OF PROPOSED RULEMAKING**

The Commissioner of the Department of Insurance, Securities and Banking, pursuant to the authority set forth under section 105 of the 21st Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.05), and the District of Columbia Regional Interstate Banking Act of 1985 ("Act"), effective November 23, 1985 (D.C. Law 6-63; D.C. Official Code § 26-702.01(c)), hereby gives notice of his intent to repeal § 207 of Chapter 2 of Title 26A of the District of Columbia Municipal Regulations (DCMR) (Banking and Financial Institutions) and adopt a new Chapter 6 FEES AND ASSESSMENTS.

Effective January 1, 2008, the fee schedule below will apply to banks and other depository institutions operating or proposing to operate in the District of Columbia. The rulemaking includes an annual assessment for District chartered banks to offset the costs of supervision and regulation of depository institutions incurred by the Department of Insurance, Securities and Banking.

Pursuant to Section 3a of the Act, the proposed rules must be submitted to the Council of the District of Columbia ("Council") for a forty-five (45) day period of review (excluding weekends, holidays and days of Council recess). Simultaneously with the publication of these proposed rules, the rulemaking was transmitted to the Council for its forty-five (45) day review period. The proposed rules will become final upon publication of a Notice of Final Rulemaking in the *D.C. Register*, which publication cannot occur until affirmative approval by the Council or until the forty-five (45) day review period has expired and the Council has taken no action, in which case the proposed rules would be deemed approved.

26A DCMR, Chapter 2, Section 207, APPLICATION FEES, is repealed.

A new Chapter 6 is added as follows:

CHAPTER 6 FEES AND ASSESSMENTS**600 INSTITUTIONS' FEES AND ASSESSMENTS**

- 600.1 All fees shall be paid by certified check or money order payable to the D.C. Treasurer.
- 600.2 A separate fee must be paid with each activity requested.

601 DEPOSITORY INSTITUTIONS

601.1 The following schedule of fees shall apply to applications from depository institutions and examinations by the Department of Insurance, Securities and Banking:

Charter	\$10,000
Offering Circular	\$5,000
Articles of Incorporation and By-Laws	\$3,000
Conversion of charter	\$7,500
Branch (includes Out-of-State Bank application to operate in the District)	\$2,500
Branch, agency or representative office of a foreign bank	\$3,000
Branch (S&L)	\$2,500
Bank Examination (for specialty exams only)	\$100/hr/per
Merger	\$5,000
Office Relocation	\$2,000
Fiduciary or other addt'l powers	\$2,500
Operating subsidiary	\$2,000
BHC formation	\$6,000
BHC acquisition	\$6,000
Non-branch facilities (electronic)	\$1,000
Non-branch facilities (brick & mortar)	\$1,000
Certificate of good standing	\$200
Reservation of name	\$1,000

601.2 Except as provided in section 601.4 below, District chartered banks also shall be subject to an annual assessment at a rate of \$25,000 per year, plus \$50 per million dollars of assets.

601.3 The assessment shall be determined and billed, on a semi-annual basis, upon assets as of June 30th and December 31st of each year.

601.4 A District of Columbia chartered bank shall be exempt from assessment for the first two (2) years of operations, if the bank began operations as a *de novo* District of Columbia bank.

602 EFFECTIVE DATE

602.1 This regulation shall become effective January 1, 2008.

All persons interested in commenting on the subject matter in the proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Howard Amer, Associate Commissioner of Banking, Department of Insurance, Securities and Banking, 810 1st Street, NE, 7th Floor, Washington, D.C. 20002. Comments may also be sent electronically to

howard.amer@dc.gov. Copies of the proposed rulemaking are available, at cost, by writing to the above address. Copies of the proposed rulemaking also may be obtained from the Department at the same address during the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.